

EXHIBIT B

1
2 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

3 -----X
JENNIFER S. FISCHMAN,

4
PLAINTIFF,

5
6 -against-

Case No.:
18-cv-08188

7
8 MITSUBISHI CHEMICAL HOLDINGS AMERICA, INC.;
MITSUBISHI CHEMICAL HOLDINGS CORPORATION;
9 NICOLAS OLIVA, in his individual and
professional capacities; DONNA COSTA, in
10 her individual and professional capacities;
and JOHN DOES 1-10, in their individual and
11 professional capacities,

12 DEFENDANTS.

13 -----X
14 DATE: June 15, 2021

15 TIME: 10:27 A.M.

16
17 DEPOSITION of the Plaintiff,
18 JENNIFER S. FISCHMAN, taken by the
19 Defendants, pursuant to a Court Order and
20 to the Federal Rules of Civil Procedure,
21 held at the offices of Gordon Rees Scully
22 Mansukhani LLP, One Battery Park Plaza,
23 28th Floor, New York, New York 10004,
24 before Enrique Alvarado, a Notary Public of
25 the State of New York.

A P P E A R A N C E S:

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and

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BY: MERCEDES COLWIN, ESQ.
File #: MCHEM-1135398

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ALSO PRESENT:

Sam Jolly, Esq.
Shearman & Sterling

Brittany L. Primavera, Esq.
Gordon Rees Scully Mansukhani LLP

Nicholas Oliva
Donna Costa

Deverell Write,
Videographer
Veritext Legal Solutions

* * *

1 J. FISCHMAN

2 during this time, met with you at least
3 three times a week to talk about evolving
4 into the general counsel role?

5 A. I couldn't say that it was
6 three times a week. It was certainly once
7 a week and it was certainly for several
8 hours at a time, sure.

9 Q. And I understand that you were
10 taking notes during that time.

11 A. Yes.

12 Q. Extensive notes, in fact,
13 because these were hours that you were
14 spending with Ms. Costa; isn't that right?

15 A. I would say I see some of them
16 on your table there, if I'm not correct.
17 Is that --

18 Q. These are not your notes, those
19 are Ms. Saunders' notes. Do you have
20 copies of the notes?

21 A. So I do have some notes that I
22 took and we thought that we produced them,
23 but we can't find them in our production
24 last night so we'll be providing those.

25 Q. Please do.

1 J. FISCHMAN

2 MS. COLWIN: I call for
3 production. That's responsive to our
4 discovery demands so we appreciate
5 that.

6 MR. BERMAN: We'll produce
7 them.

8 A. We just realized that they
9 weren't there, but also I took extensive
10 notes for eight years in my role as
11 corporate counsel, assistant general
12 counsel, and acting general counsel on
13 notepads like the one that you're writing
14 on, legal pads, that I left in my office
15 when I was escorted out after my
16 termination, and I'm sure that there's
17 responsive information on those notepads
18 that have not yet been produced so we'd
19 appreciate it if you guys would --

20 Q. When you say responsive
21 information, you mean responsive to your
22 discovery demands of us; is that what
23 you're saying?

24 A. Yes.

25 Q. What did you do about becoming